

REMARKS

I. STATUS OF THE CLAIMS

Claim 16 is added. The Applicants respectfully submit no new matter is introduced.

In accordance with the foregoing, claims 1-16 are pending and under consideration.

**II. REJECTION OF CLAIMS 1-15 UNDER 35 U.S.C. 103(a) AS BEING
UNPATENTABLE OVER WO 01/31893 (HAERMAE) IN VIEW OF US 2002/0186315
(YOSHIDA ET AL.)**

Haermae is directed to a mobile phone capable of taking still pictures and simultaneously capturing video clips in opposite directions. Haerrnae describes a control block that may show, on a display, an image captured by one camera or the other camera, or both, or can combine on the display an image produced by one camera or the other, or both, with an image received by the radio receiver. Additionally, the control block can process images in different ways, such as diminish, enlarge or produce split-screen images (page 5, line 31 to page 6, line 3).

Yoshida et al. is directed to a digital still camera with a strobe-light flash having a lens and flash construction capable of rotation in an up-and-down direction with respect to the camera's body (para. [00101]).

However, Haermae and Yoshida et al., either alone or in combination, discuss or suggest:

an image capture selecting unit selecting at least either of said first image capture unit and said second image capture unit;

a light selecting unit selecting at least either of said first light and said second light based on a selection made by said image capture selecting unit and for automatically switching to the first light or the second light when the first image capture unit or the second image capture unit is switched; and

a shooting controlling unit taking a shot by using at least either of said first image capture unit and said second image capture unit, which is selected by said image capture selecting unit, and at least either of said first light and said second light, which is selected by said light selecting unit,

as recited in amended claim 1. As mentioned above, Haermae describes a mobile phone capable of capturing images using two cameras at once. However, Haermae does not disclose

an image capture selecting unit that selects at least one of a first image capture unit and a second image capture unit and automatically switching between the first light and the second light when the first image capture unit or the second image capture unit is switched. Haermae merely describes using two cameras and provides no further indication of how a selection between the two cameras is performed.

Furthermore, the Examiner indicates that the control block of Haermae corresponds with the image capture selection unit and the shooting controlling unit of claim 1. However, the control block in Haermae is merely a control block that can show images on a display and edit them. The control block of Haermae does not disclose an image capture selecting unit selecting at least either of a first image capture unit and a second image capture unit and a shooting controlling unit taking a shot by using at least either of the first image capture unit and the second image capture unit, which is selected by the image capture selecting unit, and at least either of the first light and the second light, which is selected by the light selecting unit.

Furthermore, the Office Action concedes Haermae fails to teach the use of illuminating devices. The Office Action asserts Yoshida cures this conceded deficiency of Haermae. Yoshida merely describes a video still camera, and relates to carrying out low angle or high angle photographing without changing an angle of a user's hand holding a camera body. Therefore, Yoshida fails to make up for the deficiencies discussed above with respect to Haermae.

Since the combination of Haermae and Yoshida et al. does not discuss or suggest all of the features of claim 1, claim 1 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 2-9 depend either directly or indirectly from claim 1, and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 2-9 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Although the above comments are specifically direct to independent claim 1 of the present application for example, it is respectfully submitted that the comments would be helpful in understanding various differences of various independent claims, for example claims 10-12, and 15-16 over the cited references. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Claims 13-14 depend either directly or indirectly from claim 12, and include all the features of claim 12, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 13-14 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

III. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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